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<b>DOCKET</b> <b>04-IEP-1G</b>
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August 12, 2005

California Energy Commission Dockets Unit  
Attn: Docket No. 04-IEP-1G  
1516 Ninth Street MS-4  
Sacramento, CA 95814-5512

I am writing with respect to comments to the CEC on "Assessment of Avian Mortality from Collisions and Electrocutions", CEC-700-2005-015, by Melinda Dorn and Linda Spiegel submitted in the Reply Comments of a Group of California Wind Companies, specifically their request that the Commission should not approve the release of the Avian Impact sections.

This report, with the other PIER reports of the CEC, constitutes an honest, good-faith product based on extensive research and effort by highly competent professionals. No impediment should therefore prevent its release in its present form. The professional integrity of the authors must be respected.

I respectfully suggest, therefore, that this request not be granted.

The Wind Companies, however, point out that environmental groups and others have chosen to ignore the prominent disclaimer in this and other PIER reports which states:

"This report was prepared as a result of work by the staff of the California Energy Commission. Neither the State of California, the California Energy Commission, nor any of their employees, contractors, or subcontractors makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process enclosed, or represents that its use would not infringe on privately owned rights."

Consequently the PIER reports are treated as if they represent established policy of the CEC.

The disclaimer should evidently be respected, but the structure does not help permitting groups such as the Alameda County Board of Supervisors. They must base decisions on the future of the wind farms in Altamont Pass without the benefit of reports that have the widest possible scientific acceptance and credibility that would be provided by a rigorous peer review. The Wind Companies point out that these reports have not undergone peer review at the level required, for example, for reports of the National Academy of Sciences that provide the scientific rationale and basis for policy decisions.

In my opinion, for the reason stated above, such a review should be undertaken of a finished product. In general, I think that the approach suggested by the Wind Companies is sound and makes sense.

I regret that the lack of time - it is now past four in the afternoon of the deadline day - precludes any attempt to refine these comments.

Respectfully submitted,

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